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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,838	02/26/2004	Ravishankar Ramanathan	50277-2293	8231

7590 11/21/2006

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EXAMINER

GORTAYO, DANGELINO N

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/789,838	RAMANATHAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dangelino N. Gortayo	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/1/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-16 are pending.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 7/1/2004 is in compliance with the provisions of 37 CFR 1.97 and has been considered by the examiner.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 9-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed towards a "computer-readable medium". The specification defines the computer readable medium as "transmission media", including acoustic or light waves, radio waves, infrared data waves, and carrier waves. Program code contained on transmission media is intangible and does not fall within the four statutory classes of §101. Proper correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2168

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Cannon et al. (US Patent 7,062,541 B1)

**As per claim 1, Cannon teaches** "A method of migrating objects from a source installation to a target installation," (see Abstract)

"comprising: receiving input that selects a set of migrating objects, wherein the set of migrating objects is a set of objects at the source installation that are to be migrated to the target installation;" (Figure 5 reference 104, 105 and column 11 lines 11-22, wherein a request to transfer data objects is received by the source server)

"from a first set of one or more system tables at the source installation, copying metadata that defines the selected set of migrating objects into a first set of transport tables at the source installation;" (column 7 lines 43-63, wherein an object attributes table is made from the objects listing metadata in the source server)

"exporting the metadata from the first set of transport tables at the source installation;" (column 11 lines 23-35, lines 56-65, wherein a source server transfers attribute data)

"importing the metadata that was exported from the first set of transport tables into a second set of transport tables at the target installation site;" (column 12 lines 9-24, wherein a target server receives attribute data from a source server)

"and merging the metadata from the second set of transport tables into a second set of one or more system tables at the target installation." (Figure 6 and column 12 line 25 – column 13 line 32, wherein attributes are merged with data objects to make a copy of the data in the target server)

**As per claim 2, Cannon** teaches "the step of exporting includes creating a dump file by invoking an export utility of a database server that manages a database containing the first set of system tables;" (Figure 3 reference 42 and column 8 lines 27-53, "export application")

"and the step of importing includes copying data from the dump file into the section set of system tables by invoking an import utility of a database server that manages a database containing the second set of system tables." (Figure 3 reference 44 and column 9 lines 32-52, "import application")

**As per claim 3, Cannon** teaches "generating a script file which, when executed in a first mode causes performance of the step of exporting, and when executed in a second mode causes performance of the step of importing." (column 11 lines 11-22, wherein an object transfer list is made to handle exporting and importing of data objects)

**As per claim 4, Cannon** teaches "the objects are application components created for an application by an application design tool associated with the first installation; and after the step merging, accessing the application components using an application design tool associated with the second installation." (column 13 lines 33-52)

**As per claim 5, Cannon** teaches “the first set of transport tables are mirrors of the first set of system tables, and include one or more columns in addition to the columns of the first set of system tables.” (column 8 lines 28-38)

**As per claim 6, Cannon** teaches “the second set of transport tables are mirrors of the second set of system tables, and include one or more columns in addition to the columns of the second set of system tables.” (column 12 lines 25-35)

**As per claim 7, Cannon** teaches “the step of merging includes resolving inconsistencies between metadata being copied into the second set of system tables from the second set of transport tables,” (column 12 lines 36-49)

“and metadata that already exists in said second set of system tables.” (column 12 lines 50-60)

**As per claim 8, Cannon** teaches “one or more objects in the set of migrating objects have dependencies relative to a set of one or more other objects that have not been selected by the input;” (column 7 line 64 – column 8 line 4, and column 8 lines 11-27)

“the method further comprises the steps of automatically identifying the set of one or more other objects upon which the migrating objects depend;” (column 11 lines 11-15)

“and migrating from the first installation to the second installation the set of other objects along with the set of migrating objects.” (column 11 line 64 – column 12 line 8)

**As per claim 9-16, Cannon teaches claims 1-8 above. Additionally, Cannon teaches "A computer-readable medium carrying one or more sequences of instructions" (column 6 line 59 – column 7 line 4)**

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abrams (US Patent 5,151,608 A)

Felsted et al. (US Patent 6,915,287 B1)

Milligan et al. (US Patent 7,107,272 B1)

Krishnamurthy et al. (US Patent 7,136,872 B2)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo  
Examiner



Tim T. Vo  
SPE



TIM VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100